

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

NOV 09 2020

UNITED STATES DISTRICT COURT

JAMES W. McCORMACK, CLERK
By: [Signature]
DEP CLERK

for the

District of

Division

Case No. 4:20-cv-01319-JM

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☐ Yes ☐ No

This case assigned to District Judge Moody
and to Magistrate Judge Harris

Hans Ziegler

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Decker Truck Line/Hurricane Express

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Hans Ziegler</u>
Street Address	<u>839 Nivom Rd</u>
City and County	<u>Heber Springs Cleburn</u>
State and Zip Code	<u>Arkansas 72543</u>
Telephone Number	<u>(909) 228-6475</u>
E-mail Address	<u>TEK3champ@yahoo.com</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name Decker Truck Line
 Job or Title (*if known*) _____
 Street Address 4000 5TH AVE S
 City and County Fort Dodge
 State and Zip Code Iowa 50501
 Telephone Number (515) 576-4141
 E-mail Address (*if known*) _____

Defendant No. 2

Name Hurricane Express
 Job or Title (*if known*) _____
 Street Address 5624 US 412
 City and County Colcord
 State and Zip Code Oklahoma, 74338
 Telephone Number (877) 379-7383
 E-mail Address (*if known*) _____

Defendant No. 3

Name _____
 Job or Title (*if known*) _____
 Street Address _____
 City and County _____
 State and Zip Code _____
 Telephone Number _____
 E-mail Address (*if known*) _____

Defendant No. 4

Name _____
 Job or Title (*if known*) _____
 Street Address _____
 City and County _____

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under
the laws of the State of (name) _____, and has its
principal place of business in the State of (name) _____.
Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

7/23/19 wrongful Termination, false accusation & false allegations made against me by a mechanic causing me to lose my job & career, 10-3-19 Defamation of character by posting false information & lies to a 3rd party called HireRight, it is still going on today can't find a Truck Driving Job because of all the lies

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or

punitive money damages.

I am looking for monetary compensation for
Hardship, Pain & Suffering, and The Loss of wages
and my career, Damages for lost wages, etc. for
The past year & 1/2, medical coverage, and so on
Amount Requested \$400,000 each company
had no income for 16 months

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

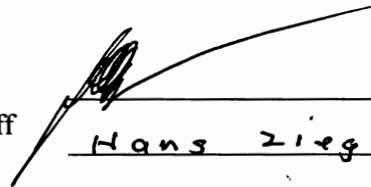
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11-9-20

Signature of Plaintiff

Printed Name of Plaintiff


Hans Ziegler

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

From: Hans J. Ziegler tekn3champ@yahoo.com
Subject: Please print 3 copies
Date: November 6, 2020 at 10:48 AM
To: theprintshop@suddenlinkmail.com

started working for decker truck line in oct of 2018 and on July 23rd of 2019 I was scheduled to take my truck in for service at the fort Dodge terminal in Iowa when I got there I signed in my truck at the shop and waited for my turn to get service after the mechanic came and got the truck and took it to the shop I got a phonecall from my dispatch about an HR later to go and see the director of safety when I arrived there I was told that I am being discharged for having alcohol in my truck they told me that the refrigerator door opened the mechanic saw the beer in my truck and reported it to safety 1st of all there was nothing in my truck except a few sodas and a little bit of food and it was my personal refrigerator the refrigerator built in the truck was not working so I got my own however there was nothing in there specially no alcohol it was all a lie created by the mechanic who was in about his mid 20's or so however I told them that that was false information and a lie that there was nothing in my truck but they didn't believe me nor did they show me any proof of it or have me a drug and alcohol test to back their false accusations note I been driving for almost 30 off and on and know the DOT rules and company rules however they gave me the option to resign or get terminated at which time I choose the option to resign knowing what a false accusations charge like that can do to my career and they accepted it I went on to clean out my truck ,got a rental car and proceeded to Arkansas to stay at a friend house since I had no permanent address in Sept of 2019 I applied at hurricane express out of Oklahoma and was hired to drive for them I started on Sept 24th and made a few deliveries for them when I got a phonecall while in California on oct 4th 2019 and they told me that I could no longer driver for them as for my background check came back saying I was discharged from Decker truck line for failed alcohol and drug test and that was a lie I try to explain to them that was false information but it was a lie cause they told me I can no longer drive the truck for as I no longer work for them and I was discharged so again I had to get a rental car and make me way back to Arkansas after receiving the information from hurricane express I contacted decker truck line and asked them what was going on and that I resigned from the company I was told " ooppss we forgot to updated in our system " have them call back and we straighten it out well but that time it was to late decker already caused me to lose a job because of their mistake so I proceeded back to Arkansas on my was back I applied at WFX (Western Flyer express) based out of Oklahoma and I was told they could not hire me as for hurricane express reported I failed a drug and alcohol test on 7/23/2019 note I never failed a drug and alcohol test in my life I contacted hurricane express and asked them what was going on they told me they reported on my DAC Report that I failed a drug and alcohol test and I told them it was a lie I was never diving a drug and alcohol test and I hey need to remove it at that time I was told by Debra in the office " it is what it is we didn't say it happened with us " they informed me it's gonna stay on my report and that is stopping me from getting another job ad a driver so I went back home to Arkansas to figure out what to do I tried to find an attorney to help me with this and have had no luck in december of 2019 I contacted EEOC and it was took me 3 month to get an appointment in March of 2020 I spoke with them and explained my situation to them and was told they investigat it and inform me if their findings I received a letter in August of 2020 and they told me I have the right to sue and It must be files within 90 day as of this day I have not yet found a attorney to take on this case I have not had any income since October of 2019 when I received my last check from hurricane express I was living on what little saving I had and from what I borrowed from my friend for as I can not find any help I am looking for monitary compensation and to get my record cleared so I can get back to work as a truck driver and get my life back on track if y'all can help me it is greatly appreciated I have more information in forms of email I printed out and please not again I have no income and a very very small amount of my saving thank you for your consideration and time

Sent from Yahoo Mail on Android

From: Hans J. Ziegler tekn3champ@yahoo.com
Subject: Please print 3 copies
Date: November 6, 2020 at 10:49 AM
To: theprintshop@suddenlinkmail.com

HZ

addition to everything thing else I been contacting HIRERIGHT that is the company hurricane express reported this to and the company all trucking companies go thru be for they hire you to get this removed but have not had any luck I also found out that hurricane express told them that I falsified documents and lied on my application when I told them I resigned from Decker I did resign from Decker and did not falsifie documents that is another lie from hurricane express and as for decker I was harrasment by my driver manager saying I was his worst driver and he is trying to figure out why they pay me what they did and I don't perform that was a message sent on my truck computer and I have proof of that also and every company I apply for tells my that can't hire me because I have a drug and alcohol charge on my record it's all a lie it is false accusations and false alligations made against me along with deformation of character

Sent from Yahoo Mail on Android